REMARKS

Claim Rejections under 35U.S.C. 112 (Paragraph 3)

Applicant respectfully traverses the rejection of claims 1-20 under 35 U.S.C. § 112, second paragraph, in light of the above claim amendments which correspond to the Examiner's suggestions for overcoming this rejection.

A) Claim 5 is now amended by replacing "such as" by "selected from the group consisting of".

B) to E) Claims 1, 2 and 3 are amended in line with the Examiner's suggestions in the last sentences of objections B to E.

With respect to B, C and E, in the previous Amendment "a physical parameter" was already replaced by "variation in mass", and is now further amended to recite that the variation in mass is an "increase" of said mass and that said increase in mass is due to "a chain extension inducing an amplification of the signal (last two lines). Claim 2 is amended accordingly to recite that the "physical parameter" is, in fact, "the signal" which can be measured at the sensor surface, a fact which may be easily understood from the specification.

With respect to D, in claim 1 it is now specified that the "catalytic units" are "enzymatic catalytic units (line 9), and dependent claim 3 is amended accordingly.

In addition, typographical errors in claims 6 and 18 have been corrected. In claim 6, "peptided synthetase" is replaced by "peptide synthethase". In claim 18, "nitroacetate" is replaced by "nitroloacetate", which is supported by the specification at page 4, tenth line from the bottom,

and "labelled" is deleted because polyhistidine and nitroloacetate are labelled compounds by themselves.

Applicant respectfully submits that the above claim amendments also overcome the three rejections under 35 U.S.C. § 102(b) based on anticipation by Pinkel '894, Chai-Gao '802 and Lockhart (WO '317).

In this regard, Applicant refers the Examiner to the Examiner's "Response to arguments" beginning on page 6 of the Office Action where the Examiner states that Applicant's previous arguments to overcome these prior art rejections were based on limitations found in Applicant's disclosure, but not in Applicant's claims. In particular, the Examiner concludes:

> ...the instant claims do not recite the limitations as discussed in the arguments, and the specification is not to be read into the claims.

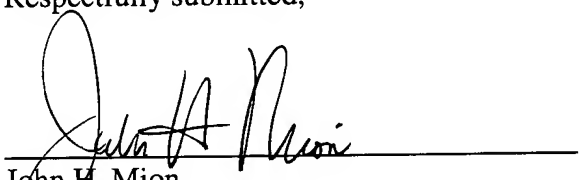
All of these allegedly omitted limitations are now contained in the claims, and Applicant understands that the three rejections under 35 U.S.C. § 102(b) based on anticipation are overcome, because none of the rejected claims is readable, either expressly or inherently, on the three applied references.

In any event, Applicant hereby incorporates by reference the rebuttal arguments beginning on page 9 of the Amendment filed on April 22, 2003, and respectfully requests the Examiner to reconsider and withdraw all the statutory rejections, and to find the application to be in condition for allowance with claims 1-20; however, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to

call the undersigned attorney to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,



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